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Rules, Regulations, Orders

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

CHAPTER I—COAST GUARD

PART 7—ANCHORAGE AND MOVEMENTS OF VESSELS AND THE LADING AND DISCHARGING OF EXPLOSIVE OR INFLAMMABLE MATERIAL OR OTHER DANGEROUS CARGO

Section 1, title II, of the so-called Espionage Act, approved June 15, 1917, 40 Stat. 220 (U.S.C. title 50; sec. 191), provides in part as follows:

Whenever the President by proclamation or Executive order declares a national emergency to exist by reason of actual or threatened war, insurrection, or invasion, or disturbance or threatened disturbance of the international relations of the United States, the Secretary of the Treasury may make, subject to the approval of the President, rules and regulations governing the anchorage and movement of any vessel, foreign or domestic, in the territorial waters of the United States, may inspect such vessel at any time, place guards thereon, and, if necessary in his opinion in order to secure such vessels from damage or injury, or to prevent damage or injury to any harbor or waters of the United States, or to secure the observance of the rights and obligations of the United States, may take, by and with the consent of the President, for such purposes, full possession and control of such vessel and remove therefrom the officers and crew thereof and all other persons not specially authorized by him to go or remain on board thereof.

By virtue of a Proclamation issued on the 27th day of June 1940,¹ the above-quoted provisions of law are now in full force and effect.

1. GENERAL RULES AND REGULATIONS

Pursuant to the authority contained in the above-quoted Act, the following general Rules and Regulations are adopted governing the anchorage and movements of vessels and the lading and discharging of explosive or inflammable material or other dangerous cargo at ports. These Rules and Regulations shall be enforced by the captain of the port or other officer designated by the Secretary of the Treasury, pursuant to section 2 of the Regula-

tions relating to the control of vessels in the territorial waters of the United States issued by the Secretary of the Treasury and approved by the President on June 27, 1940.² These Rules and Regulations are to be in addition to, and in no manner a substitution for, the Regulations relating to the control of vessels in the territorial waters of the United States issued by the Secretary of the Treasury and approved by the President on June 27, 1940.

A. *For anchorages in general.* 1. (a) At ports for which anchorage areas have been established by the Secretary of the Treasury or affirmed by him, no vessel shall anchor outside the prescribed anchorage areas, except in cases of great emergency or in cases where the captain of the port finds that no hindrance to shipping is caused by vessels anchoring outside anchorage areas established or affirmed by the Secretary of the Treasury.

(b) Except in cases of great emergency, no vessel shall cast anchor within a cable or pipe line area shown on a government chart, or shall secure to any pier, wharf, or vessel in such manner as to obstruct or endanger the passage of any other vessel in transit.

2. No vessel shall occupy for a longer period than thirty (30) days, unless a permit is obtained from the captain of the port for that purpose, any anchorage for which the time of occupancy is not otherwise prescribed in any applicable regulations. No vessel in a condition such that it is likely to sink or otherwise become a menace or obstruction to the navigation or anchorage of other vessels shall occupy an anchorage except in an emergency, and then only for such period as may be permitted by the captain of the port.

3. Whenever the captain of the port shall find such action to be necessary to protect the safety of any vessel, any or all vessels in any designated anchorage area shall moor with two or more anchors.

4. Every vessel, in an anchorage area, whose crew may be reduced to such number that it will not have sufficient men on

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¹ 5 F.R. 2419.

² 5 F.R. 2442.



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board to weigh anchor at any time shall, before the release or reduction of the crew, be anchored with two anchors with mooring swivel, unless the captain of the port shall waive the requirement of a mooring swivel.

5. Anchors must not be placed outside the anchorage areas, nor shall any vessel be so anchored that any portion of the hull or rigging shall at any time extend outside the boundaries of the anchorage area.

6. Any vessel may, under circumstances of great emergency, anchor outside the anchorage areas, but in so doing such vessel must be placed near the edge of the channel and in such position as not to interfere with the free navigation of the channel, or to obstruct the approach to any pier, or to impede the movement of any boat, and shall move away immediately after the emergency ceases, or upon notification by the captain of the port when he finds that the safety of any vessel or the movements of commerce so require.

7. When applied for, a berth in an anchorage, if available, shall be assigned to any vessel by the captain of the port. He may grant revocable permits for habitually maintaining and using the same berth in an anchorage area.

8. Permits to anchor in channels within the limits of the waterways under

the control of the captain of the port may be granted by that officer to wrecking plants or other vessels legally engaged in recovering sunken property or in laying pipe or cable lines legally established or in repairing the same when the application for such anchorage is approved by the United States district engineer in charge of works of river and harbor improvement and to plants engaged in dredging operations, when authorized by the United States district engineer. No such permit will be required for plants engaged under the supervision of the United States district engineer upon works for the improvement of rivers and harbors.

9. Whenever the captain of the port finds that the maritime or commercial interests of the United States or the safety of any vessel or harbor so require, he is hereby empowered to shift the position of any vessel anchored or moored within an anchorage area or of any vessel anchored or moored outside an anchorage area, including any vessel anchored or moored in such manner that the captain of the port finds that it obstructs vessel movements in any channel or obstructs or interferes with range lights or obstructs or endangers the passage of vessels in transit by, or to, or from adjacent wharf property or impedes the movements of vessels entering or leaving adjacent slips.

10. A vessel upon being notified to move or shift its position in accordance with these Regulations shall get under way at once or signal for a tug, and shall change position as directed with reasonable promptness.

11. A vessel on fire, desiring to proceed to an anchorage in a port, shall communicate that fact as soon as practicable to the captain of the port, who shall designate the most suitable available anchorage.

B. For anchorage of vessels carrying explosives. 12. (a) Explosive anchorage areas established by the Secretary of the Treasury, or affirmed by him, are reserved for vessels carrying explosives as cargo. Those areas shall not be used by vessels which do not carry explosives as cargo, except in cases of great emergency, or by special permit from the captain of the port. All vessels carrying explosives as cargo shall be within those areas when anchored, except as provided in subsection (b) of this paragraph and paragraph 17.

(b) In the interests of the commerce of the United States and in order to prevent damage or injury to any vessel or harbor or waters of the United States, the captain of the port may, subject to such conditions as he finds will promote those objectives, designate loading terminals outside the explosive anchorage areas where vessels may load or discharge explosives directly between vessel and shore or between vessels.

(c) A captain of the port may issue a permit to a vessel carrying an inflammable or other dangerous cargo to an-

chor in an explosive anchorage area whenever such explosive anchorage area is not in use by a vessel carrying explosives as cargo. A vessel carrying an inflammable cargo, such as petroleum products, shall, when anchored, be at least 1,000 yards away from a vessel carrying explosives.

13. No vessel carrying explosives as cargo, or on which explosives as cargo are to be loaded, may proceed to an explosive anchorage area without first notifying the captain of the port. Upon such notification, the captain of the port, if he finds it to be in the interests of safety and the commerce of the United States, shall issue a revocable permit without which no vessel may anchor in the explosive anchorage area, and shall assign to the vessel a berth in the explosive anchorage area, if one is available.

14. All vessels, including tugs and stevedore boats, used in connection with loading or unloading explosives on vessels shall apply to the captain of the port for a permit to engage in such loading or unloading, which permit shall be granted by the captain of the port if he finds that the interests of safety and the commerce of the United States will not be injured thereby. No such vessel shall enter any explosive anchorage area or engage in loading or unloading explosives on vessels without first having obtained a permit.

15. Every vessel not fitted with mechanical power which is at anchor in an explosive anchorage area while carrying explosives as cargo shall have a tug in attendance, unless a tug is deemed unnecessary by the captain of the port.

16. Vessels carrying explosives shall conform to the rules and regulations for anchorages in general, paragraphs 1 through 11, above, when applicable.

17. Paragraphs 12 through 16, above, shall not apply to a vessel carrying explosives for use on river and harbor works under the supervision of the United States district engineer, or on other work under Federal permit issued by the district engineer, when anchored under written authority of the district engineer in or near the vicinity of such work and when the explosives are loaded, stored, and handled in such quantity and in such manner as may be prescribed by the district engineer.

C. For the movement, lading, and discharge of explosives or inflammable material or other dangerous cargo. 18. The captain of the port may, at his discretion, assign guards to supervise the lading, unlading, and transportation in the port of explosives on, from, to, or between vessels, and except as otherwise provided for by law he may limit the quantity of explosives that may be carried by any vessel while in port, upon a finding that a greater amount would be unsafe. No vessel carrying explosives as cargo may move through any channel or waterway of the port without a permit unless the requirement of a permit is waived by the captain of the port. If the requirement

is not waived, such permit shall be issued by the captain of the port when he finds that it is in the interests of safety and the commerce of the United States. No responsibility of any kind connected with the navigation of such vessel shall, however, in any case, be assumed by the captain of the port.

19. Every vessel in port lading, unlading, transporting, or containing explosives as cargo shall display by day a red flag at least 16 square feet in area at its masthead, or at least 10 feet above the upper deck if the vessel has no mast. A vessel having explosives aboard as cargo, shall display by night, when anchored or moored, a red light in the same position specified for the flag.

20. Every vessel in the territorial waters of the United States carrying explosives as cargo should be at all times in charge of a competent person. It shall be the duty of such person and of the master of the vessel to supervise all operations in the territorial waters of the United States where the handling and movement of explosives are involved, and such person and the master should reduce such handling to a minimum.

21. Except so far as they may be inconsistent with anything in these Regulations, and until the effective date of the Act of October 9, 1940 (Dangerous Cargo Act), the regulations of the Interstate Commerce Commission, promulgated pursuant to the Act of March 4, 1921, 41 Stat. 1444 (U.S.C. title 18, sec. 383), effective February 1, 1935, and entitled: "Part V—Regulations for the Transportation of Explosives and Other Dangerous Articles of Freight in Freight-and-Passenger Vessels by Water * * *", as amended, are hereby affirmed and continued as part of these Regulations and shall be deemed applicable to all vessels in the territorial waters of the United States, including vessels that are not common carriers as well as vessels that are common carriers.

22. No explosives shall be loaded or discharged from any vessel lying at a wharf unless a permit therefor shall be issued by the captain of the port upon a finding by him that such loading or discharging will not be contrary to the interests of safety and the commerce of the United States.

23. The captain of the port may, when he deems such action necessary in the interests of safety and of the commerce of the United States, place inspectors and guards upon any vessel loading or discharging inflammable material or other dangerous cargo.

24. Violations of these Regulations and accidents, fires, explosions, and leakage or breaking of packages of explosives occurring in port shall be reported promptly to the captain of the port by the master of, or other person in charge of the vessel concerned.

25. No vessel with a cargo of gasoline, or any other inflammable liquid with a flash point below 20 degrees Fahrenheit,

shall anchor in any anchorage for more than 12 hours without obtaining a permit from the captain of the port.

26. The transfer of gasoline or any inflammable liquid with a flash point below 80 degrees Fahrenheit in an amount exceeding 1,000 barrels from a vessel in an anchorage area to another vessel shall not be made without a permit from the captain of the port, which permit shall be granted unless the captain of the port finds that the interests of safety and the commerce of the United States will be injured thereby. The captain of the port may issue the permit on such terms and conditions as he finds necessary to promote those objects.

27. In case of a violation of any of the sections numbered 18 through 26 of these Regulations, the captain of the port is empowered to cause the removal of the violator from the vessel, or to stop the loading or unloading of explosives on or from any vessel in connection with whose loading or unloading the violation occurs.

II. ANCHORAGE REGULATIONS FOR CERTAIN PORTS OF THE UNITED STATES

Pursuant to the authority contained in Section 1, Title II of the Act approved June 15, 1917, 40 Stat. 220 (U.S.C. title 50, sec. 191), above quoted, and the Proclamation of the President issued on June 27, 1940, anchorage grounds and areas are hereby defined and established at the following ports and harbors:

Portland, Maine.
Boston, Massachusetts.
Baltimore, Maryland.
Philadelphia, Pennsylvania.
Jacksonville, Florida.
Mobile, Alabama.
New Orleans, Louisiana.
Galveston, Texas.
Astoria, Oregon.
Puget Sound, Washington.
Duluth, Minnesota-Superior, Wisconsin.
Chicago, Illinois.
Detroit, Michigan.
Cleveland, Ohio.
St. Thomas Harbor, Charlotte Amalie, Virgin Islands.
San Juan, Puerto Rico.

The foregoing general Rules and Regulations shall, of course, apply to the above ports and the anchorage areas. Except where otherwise specifically provided, wherever in these Regulations anchoring or remaining at an anchorage is prohibited except under a permit from the captain of the port, such permit shall be issued by such captain only when he finds the existence of an emergency or that the interests of commerce, safety, or the national defense will not be prejudiced by the issuance of such permit.

The anchorage areas and grounds established by the Secretary of War (Code of Federal Regulations, title 33, Part 202), together with amendments and addenda thereto, are hereby reaffirmed and continued in force. Those rules and regu-

lations establish areas and grounds for anchorages at the following ports and harbors:

Kennebec River at or near Bath, Maine.

New Bedford Outer Harbor, Buzzards Bay, Vineyard and Nantucket Sounds, Massachusetts.

Narragansett Bay (including Newport Harbor) and Bristol Harbor, Rhode Island.

Randall Bay, Freeport, Long Island, New York.

The Port of New York.

Annapolis Harbor, Maryland.

Anacostia River, District of Columbia.

Hampton Roads and the Harbors of Norfolk and Newport News, Virginia.

Port of Charleston, South Carolina.

Wilmington River, Thunderbolt Harbor, Georgia.

Turners Creek, Georgia.

Atlantic Ocean off Miami and Miami Beach, Florida.

Tampa Bay, Florida.

Waukegan Harbor, Illinois.

Chicago Harbor, Illinois.

San Diego Harbor, California.

Los Angeles and Long Beach Outer Harbors, California.

San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, New York Slough and San Joaquin River, California.

The following regulation, approved by the Secretary of War August 27, 1940, amending the description of the anchorage area in Tampa Bay, Florida (Code of Federal Regulations, title 33, § 202.65), is hereby affirmed and adopted:

§ 202.65 Tampa Bay, Fla., Amendment.

The Anchorage Grounds

(a) A rectangular area two nautical miles in length and 2,000 feet in width, the northwesterly corner of this area being located approximately 4,000 feet northerly of Hillsboro Bay Cut A range, and 300 feet east of Tampa Bay Cut E range produced northerly; the northerly line of this area bears 71° (North 71° East) from this northwesterly corner for a distance of two nautical miles. This northerly line will be marked by three yellow can buoys, one at each end and one in the middle.

The following regulation, approved by the Secretary of War September 16, 1940, prescribing the speed of vessels in the vicinity of explosive anchorages in the Mississippi River south of New Orleans, Louisiana (Code of Federal Regulations, title 33, § 207.210), is hereby affirmed and adopted:

§ 207.210 Mississippi River.

(c) Navigation regulations to govern speed of vessels in vicinity of explosive anchorages south of New Orleans. The

masters and pilots of all seagoing steamers, tugboats, and other vessels plying the Mississippi River south of New Orleans in the vicinity of Explosive Anchorage [sic] No. 1, Explosive Anchorage No. 2, and Explosive Barge Terminal shall regulate the speed of their vessel over the bed of the river so as not to exceed 7 miles per hour going downstream or 5 miles per hour going upstream.

Rules and regulations governing the movement and anchorage of vessels and rafts in the St. Mary's River from Point Iroquois on Lake Superior to Point Detour on Lake Huron, except the waters of the St. Mary's Falls Canal, heretofore promulgated by the Secretary of Commerce (Code of Federal Regulations, title 33, Part 323), are hereby reaffirmed and continued in force.

Portland, Maine

Anchorage (A). This anchorage is the area included within lines drawn between the following points:

- (A) The eastern corner of Grand Trunk Ry. Co. pier No. 3;
 - (B) 1,700 yards 90° true from point (A) to Buoy N 16;
 - (C) 350 yards 330° true from point (B);
 - (D) 780 yards 25° true from point (C);
 - (E) 750 yards 303° true from point (D);
 - (F) 560 yards 254° true from point (E);
 - (G) 750 yards 186° true from point (F);
- Thence to point (A).

Anchorage (B). This anchorage is bounded as follows:

A line starting from Nun Buoy N 16 (this is 1,700 yards 90° from NE. corner of Grand Trunk Pier No. 3) 58° true to Little Diamond Island, the southwestern shore of Little Diamond Island to the pier on the southern end of Little Diamond Island; thence 1,200 yards 143° true, thence 270° true to House Island Light; thence along the western shore of House Island, thence to Fort Scammel Light; thence 1,620 yards 329° true to point of beginning.

This anchorage is intended for general purposes, but especially for use by oil tankers, and other large deep draft ships, entering harbor at night, intending to proceed to the dock allotted at daylight the following morning, or as soon as practicable. Vessels must be so anchored in this area as to leave at all times an open usable channel at least 100 feet wide, for passage of ferry and other boats between Portland, Peaks Island, and Bay Points. This area is also to be used for quarantine anchorage. Any vessel anchored in this area shall be ready to move on short notice when ordered by the captain of the port upon a finding by him that such movement is necessary in the interest of safety or the commerce of the United States.

Anchorage (C). This anchorage is bounded on the northwest by House Island; on the north by a line drawn 90° from House Island Light to Peak Island; on the east by the western shore of Peak Island south of this anchorage's northern limit, by a line 198° true from the westernmost point on Peak Island to Cushing Island, and the shore of Cushing Island to its westernmost point; on the southwest by a line drawn from the westernmost point on Cushing Island to Fort Scammel Light.

NOTE: This anchorage is intended for use only by small vessels and for temporary anchorage.

Anchorage (D). Located southerly and westerly on a line extending 35° from Lighthouse Channel Buoy No. 1 to White Anchorage Buoy E, thence 58° to Dredged Channel Lighted Buoy No. 5, thence 158° to Portland Breakwater Light.

NOTE: This anchorage is for use only by small yachts and pleasure craft, and small light-draft coastwise freighters.

Anchorage (E) (explosive). Located to the northward of Great Diamond Island and Cow Island, shown on Chart No. 315, and is bounded as follows:

A line running 345° from the northeast end of Little Diamond Island to the south point of the Southern Brothers Island, then 45° to the southerly point of Clapboard Island, then 157° to the northeast point of Cow Island.

Boston, Massachusetts

Bird Island anchorage. This anchorage will include the area between the following points:

- (A) 1,400 yards 93° true from the aerial beacon on top of the Boston Custom House tower;
- (B) 1,600 yards 81° true from the aerial beacon on top of the Boston Custom House tower;
- (C) 3,100 yards 102° true from the aerial beacon on top of the Boston Custom House tower (beacon (A));
- (D) 3,050 yards 109° true from the aerial beacon on top of the Boston Custom House tower (Flashing Red Buoy No. 10).

President Roads anchorage. This anchorage is the area bounded by the following points:

- (A) 500 yards 261° true from Deer Island Light;
- (B) 2,275 yards 261° true from Deer Island Light;
- (C) 2,250 yards 274° true from Deer Island Light;
- (D) 750 yards 307° true from Deer Island Light.

The captain of the port may authorize the use of this anchorage as an explosive anchorage when he finds that the interests of commerce will be promoted thereby and the interests of safety and national defense will not be prejudiced thereby.

Explosive anchorage. The explosive anchorage for Boston is in the lower harbor, and shall be the area bounded as follows:

- (A) On the northeast by a line between the northeast end of Peddocks Island and the northeast end of Rainsford Island;
- (B) On the northwest by Rainsford Island;
- (C) On the southwest by a line between the western extremity of Rainsford Island and the westernmost point of Peddocks Island;
- (D) On the southeast by Peddocks Island.

Philadelphia, Pennsylvania

Anchorage No. 1. (Port Richmond Anchorage.) Located south of the channel, between the upper and lower ends of Petty Island, and between lines opposite Allegheny Avenue and Pier No. 80, North, near Norris Street, Philadelphia, marked by White Spar Buoys A, B, C and D.

Vessels having a draft less than twenty feet must anchor west of Pier No. 11 At Port Richmond. The area off the Crew Levick Wharf at Petty Island shall be restricted to facilitate the movement of vessels to and from the Company's wharf. Vessels must not cast anchor in the cable area indicated, except in a case of emergency.

Anchorage No. 2. (Cooper Point Anchorage.) Located east of the channel; between lines marking the prolongation of Marlborough Street and the south side of Pier No. 24, North Wharves, Philadelphia.

Anchorage No. 3. (Greenwich Anchorage.) Located east of the channel; north from Flashing Red Buoy No. 48 A, bearing 320° from the southwest corner of the Immigration pier at Gloucester, New Jersey; and south from White Nun Buoy No. 2, opposite the railroad ferries at Kaighn Point.

The area between Pier No. 2, New York Shipbuilding Corporation and the McAndrews and Forbes Company's Pier, Camden, shall be restricted to facilitate the movement of car-floats to and from Bulson Street, Camden. Should the anchorage become so congested that vessels are compelled to anchor in the restricted area, they must move immediately when another berth is available.

Anchorage No. 4. (Gloucester Anchorage.) Located southeast of the channel, marked by East Horseshoe Range Lights; southwest from Flashing Red Buoy No. 48 A, northeast from Red Nun Buoy No. 48, bearing 267° from the north end of the retaining dike at the mouth of Big Timber Creek, New Jersey.

Anchorage No. 5. (League Island Anchorage—Naval.) Located north of the channel marked by West Horseshoe Range Lights; to the eastward of a line running 173° from the upper side of Pier No. 1, to a line running 173° from Pier No. 7, at the Navy Yard, Philadelphia.

This is a restricted naval anchorage.

Anchorage No. 6. (Mantua Creek Anchorage.) Located southeast of the channel marked by Mifflin Range Lights; from a line running 0° from Tinicum Range rear light along the easterly channel line, approximately 8,200 feet northeastward to Red Gas Buoy No. 2 F, and marked by White Nun Buoys.

Anchorage No. 7. (Thompson Point Anchorage.) Located south of the channel, marked by Tinicum Range Lights; west of a line running 0° from Crab Creek, east of a line running 0° from the carfloat slip at Thompson Point.

Anchorage No. 8. (Marcus Hook Anchorage.) Located southeast of the channel marked by Marcus Hook Range Lights; to the northeastward of a line running 152° from the General Chemical Company's stack at Claymont, Delaware, to the southwestward of a line running 329° from the lower end of Raccoon Island, New Jersey.

A preferential area is hereby designated for the use of vessels awaiting quarantine inspection, between lines projected from the northeast and southwest boundaries of the United States Quarantine Station at Marcus Hook, Pennsylvania, and southeastward of the ship channel. Should the remainder of the anchorage be in use, the preferential area, when unoccupied, may be used by deep draft vessels not subject to quarantine inspection. The deep draft area of the anchorage is marked by Flashing White Buoy No. 6 M and White Nun Buoys REF. The quarantine area is marked by Yellow Nun Buoys. Light draft vessels should anchor northeastward from the upstream White Nun Buoy REF.

Anchorage No. 9. (Deepwater Point Anchorage.) Located east of the channel, marked by Cherry Island Range Lights; to the northward of a line running 280° from Deepwater Point Range front light, to the southward of a line running 112° from the Christina River South Jetty Light.

Vessels must not cast anchor in the cable area indicated except in a case of emergency.

Anchorage No. 10 (Explosive). (Artificial Island Anchorage.) Located in the vicinity of Reedy Island at the upper end of Artificial Island, to the eastward of the channel along Reedy Island Range; northward of a line 103° from Reedy Island Light, extending upstream about 5,000 feet to a line 110° from the Quarantine Tank on Reedy Island, eastward of a line 500 feet from and parallel with the edge of the channel to the 26-foot curve of depth.

Anchorage No. 11 (restricted). (Five Mile Point Anchorage.) Located north of the channel; between lines opposite the Philadelphia Electric Company pier below the Delair railroad bridge and Pier No. 179 North, near Wensley Avenue, Philadelphia.

This anchorage shall be reserved for vessels under custody of the United States. No vessel shall occupy this an-

chorage without a permit from the captain of the port.

Anchorage No. 12 (restricted). (Patty Island Anchorage.) Located south of the channel; between lines opposite the Philadelphia Gas Works Company pier, near Tioga Street and Pier No. 179 North, near Wensley Avenue, Philadelphia.

This anchorage shall be reserved for vessels under custody of the United States. No vessel shall occupy this anchorage without a permit from the captain of the port.

Anchorage No. 13 (restricted). (Pea Patch Island Anchorage.) Located east of the channel, marked by New Castle Range Lights; from a line opposite Pea Patch Island Light southward for a distance of 7,000 feet.

This anchorage shall be reserved for vessels under custody of the United States. No vessel shall occupy this anchorage without a permit from the captain of the port.

Anchorage No. 14. (Bombay Hook Point Anchorage.) (General Anchorage.) Located west of Liston Range, between a line bearing 228° from lighted Bell Buoy 2 L and a line bearing 228° from Ship John Shoal Lighthouse.

Baltimore, Maryland

Anchorage (A). Located in Northwest Harbor between Fells Point and Youngs Pier, and marked by four anchorage buoys.

NOTE: This anchorage is intended for fishing and other small vessels having business in the inner harbor of Baltimore.

Anchorage (B). (Canton Hollow.) Located in Northwest Harbor, and included within the following points:

(A) 640 yards 40° true from Fort McHenry Channel rear range light and marked by a White Spar Buoy;

(B) 1,020 yards 67° true from Fort McHenry Channel rear range light and marked by a White Spar Buoy;

(C) 650 yards 25° true from Fort McHenry Channel front range light.

This is to be an anchorage for vessels awaiting berths at piers, and no vessel may remain more than 12 hours without a permit from the captain of the port.

Anchorage (C). This anchorage is located east of the Maryland Yacht Club and is bounded by the following:

(A) On the north by Ferry Bar Channel range;

(B) On the west by a line 225 feet from and parallel to pierhead line;

(C) On the south by a line between buoy S 2 and a point 900 feet 190° true from Ferry Bar Channel front range light;

(D) On the east by a line between buoy S 2 and a point 250 feet 270° true from Ferry Bar Channel front range light.

This anchorage shall be restricted to yachts. Vessels must anchor in such a way as not to block entrance to the slips of the nearby yacht club.

Anchorage No. 1. (Fort McHenry.) This anchorage is in the area bounded by lines drawn through the following points:

(A) 1,100 yards 164° true from Lazaretto Point Light;

(B) 1,175 yards 170° true from Lazaretto Point Light;

(C) 1,900 yards 158° true from Lazaretto Point Light;

(D) Fort McHenry Channel Buoy 15 M (2,275 yards 152° true from Lazaretto Point Light).

This anchorage is to be used only as an overnight anchorage for vessels waiting to go to piers. No vessel may remain more than 12 hours without a permit from the captain of the port.

Anchorage No. 2. (General Anchorage.) Located between Lazaretto Point and Airport, bounded by:

(A) White Spar Buoy B, 3,200 yards 125° true from Lazaretto Point Light;

(B) White Spar Buoy D, 1,940 yards 113° true from Lazaretto Point Light;

(C) Point E, 1,775 yards 148° true from Lazaretto Point Light;

(D) Buoy 12 M, 2,300 yards 146° true from Lazaretto Point Light;

(E) White Spar Buoy C, 2,275 yards 133° true from Lazaretto Point Light;

(F) Point F, 3,125 yards 136° true from tank at Lazaretto Point Light.

No vessel shall remain longer than four days without obtaining a permit from the captain of the port.

NOTE: This is to be a general anchorage for vessels with a draft of 24 feet and under.

Anchorage No. 3. (Riverview.) (General Anchorage.) Located between Fort McHenry Channel and Airport, bounded by:

(A) White Spar Buoy A, 3,800 yards 136° true from Lazaretto Point Light;

(B) White Spar Buoy C, 2,300 yards 134° true from Lazaretto Point Light;

(C) Buoy 12 M, 2,300 yards 146° true from Lazaretto Point Light;

(D) Buoy 10 M, 3,800 yards 144° true from Lazaretto Point Light.

This anchorage shall be restricted to vessels of over 24 feet draft. No vessel shall remain in this anchorage longer than four days without obtaining a permit from the captain of the port. If, by reason of their draft, barges must anchor here, they must anchor in the lower third of this anchorage, as close together as the interests of safety will permit under the circumstances.

Anchorage No. 4. (Restricted Anchorage.) Located between Sollers Point and Airport, bounded by points:

(A) 1,700 yards 317° true from Fort Carroll Light;

(B) 3,550 yards 317° true from Fort Carroll Light;

(C) 3,600 yards 327° true from Fort Carroll Light;

(D) 2,600 yards 344° true from Fort Carroll Light;

(E) 1,950 yards 342° true from Fort Carroll Light.

This anchorage shall not be used except on special permit from the captain of the port.

NOTE: The area is used by planes from the Airport as a runway.

Anchorage No. 5. (General Anchorage.) Located between Fort McHenry Channel and Curtis Bay Channel, and bounded by the following points:

(A) 1,250 yards 343° true from Brewerton Channel rear range light;

(B) 2,375 yards 7½° true from Brewerton Channel rear range light;

(C) 1,700 yards 42° true from Brewerton Channel rear range light.

No vessel shall remain in this anchorage longer than four days without obtaining a permit from the captain of the port.

NOTE: This anchorage is to be used as a light anchorage for barges. It may also be used by other vessels during such time as other anchorages are not available.

Anchorage No. 6 (explosive). (Explosive Anchorage.) Located northeast of Fort McHenry Channel and just northwest of Fort Carroll, and bounded by the following points:

(A) White Spar Buoy A, 350 yards 347° true from Fort Carroll Light;

(B) White Spar Buoy B, 1,450 yards 326° true from Fort Carroll Light;

(C) Buoy 8 M, 1,500 yards 309° true from Fort Carroll Light;

(D) Buoy 6 M, 440 yards 277½° true from Fort Carroll Light.

Anchorage No. 7. (Quarantine Anchorage.) Located in the area west of Fort McHenry Channel and south of Burtis Bay Channel, and bounded by the southern and westerly edges of those channels and lines between the following points:

(A) Buoy C 1, 1,680 yards 345½° true from Brewerton Channel rear range light;

(B) White Spar Buoy A, 900 yards 265° from Fort Carroll Light.

This anchorage is to be used only by vessels awaiting quarantine inspection. Special permits for use of the lower part of the anchorage for explosive loading of vessels exceeding 20 feet in draft may be issued in extraordinary cases.

Anchorage No. 8. (Dead Anchorage.) Located in Curtis Bay south of Curtis Bay Channel, bounded by:

(A) The shore line and channel buoys C 9, 575 yards 4° true from stack on Sleds Point;

(B) Buoy C 7, 1,575 yards 66° true from stack on Sleds Point.

Vessels shall not anchor so as to swing within 100 yards of the channel. No vessel may occupy this area without obtaining a permit from the captain of the port. When the captain of the port finds

such action necessary to conserve space, he may require vessels in this anchorage to moor bow and stern, or to one another.

Anchorage No. 9. Located in area between Stonehouse Cove and Fishing Point, bounded by:

(A) B. & O. R.R. Dock and buoy N 8;

(B) Curtis Bay Channel line.

This anchorage is to be used only by vessels using nearby docks, while awaiting berths at piers. No vessel may remain in this anchorage more than twelve hours without obtaining a permit from the captain of the port.

Jacksonville, Florida

Anchorage (A). The northern limits of this anchorage shall be about 1,200 yards south of drawbridge, crossing the St. Johns River at Jacksonville, Florida, and extending on a line running east and west through Grassy Point Middle Ground Lower End Light No. 31. The southern limits of this anchorage from Grassy Point Middle Ground Light No. 34 shall be a line running east to the eastern edge of anchorage. The eastern edge of the anchorage shall be a line running between Hedricks Point and La Vista Point, South Jacksonville, Florida. The western edge of the anchorage shall be a line from Grassy Point Middle Ground Light No. 34 to Winter Point, Jacksonville, Florida.

NOTE: Permanent anchorage for deep draft vessels.

Anchorage (B). The northern limits shall be the southern limits of anchorage (A). The eastern and western limits shall be the continuation of the eastern and western limits of anchorage (A). The southern limits shall be a line east and west from La Vista Point, South Jacksonville, Florida, to Sadler Point, Ortega, Jacksonville, Florida.

NOTE: Permanent anchorage for shallow draft vessels.

Anchorage (C). The southern and eastern limits of this anchorage are the shores of the St. Johns River. The western and northern limits are from a point on the shore line north to Twenty Foot Rock Buoy No. 81, thence to Commodore Point Lighted Buoy No. 79, thence NE x N 600 yards, thence east to Empire Point.

This anchorage shall be an anchorage for vessels exceeding twenty-four feet in draft. No vessel shall remain in this anchorage more than twenty-four hours without obtaining a permit from the captain of the port.

Anchorage (D). The area included within the following buoys and lights: From Terminal Channel Light No. 7 to Cross Channel Buoy No. 78, to Arlington Cut Buoy No. 76 to Terminal Channel Light No. 5 and to Terminal Channel Light No. 7. No vessels shall anchor within 300 feet of Terminal Channel or Arlington Cut.

NOTE: Permanent anchorage for light draft barges and schooners.

Anchorage (E). From Six Mile Creek Cut Range Front Light No. 73, due west to Texas Company wharf, thence to Chaseville Middle Ground Black and Red Buoy, thence NE x E to shore line 1,100 yards south of Chaseville, Florida.

This anchorage shall be used only by vessels awaiting quarantine inspection, or by special permit from the captain of the port.

Anchorage (F). From Six Mile Creek Cut Range Front Light No. 73, to Chaseville Middle Ground Black and Red Buoy, thence NE x E to shore line 1,100 yards south of Chaseville, Florida.

NOTE: Permanent anchorage for deep draft barges and schooners.

Anchorage (G) (explosive). The area to the westward of the Trout River Cut, Main Ship Channel, St. Johns River, and to the northward of Red Nun Buoy No. 66. No vessel shall anchor within 200 yards of the Trout River Cut.

Mobile, Alabama

Anchorage (A) (explosive). This anchorage includes the area within a radius of 750 yards from a point located 1,000 yards true north from Fort Morgan Light.

Anchorage (A) shall be used by vessels loading or discharging high explosives. It shall also be used by vessels carrying dangerous or inflammable cargoes requiring an anchorage. It may be used for a general anchorage when not required for vessels carrying explosive or dangerous or inflammable cargoes. No vessel shall occupy this anchorage without obtaining a permit from the captain of the port.

New Orleans, Louisiana

Anchorage (A). (Woodland Anchorage.) An area 2 miles long near the right descending bank, south side of the channel, not to exceed 600 feet from the bank. Upper limits approximately 0.9 mile down-stream from Point Celeste and opposite Davant, La. Lower limits approximately 0.7 mile upstream from Point-A-La-Hache Ferry Landing.

Anchorage (B). (Phoenix Anchorage.) An area 2 miles long near the left descending bank, northeast of the channel, not to exceed 600 feet from the bank. Upper limits approximately 1 mile down-stream from Poverty Point Light and directly opposite Myrtle Grove, La. Lower limits approximately 4.5 miles upstream from Favret Light, and opposite Oakland, La.

Anchorage (C). (Baton Rouge Anchorage.) An area 0.5 mile long near the left descending bank, east side of the channel, not to exceed 1,000 feet from the bank, vicinity Standard Oil Plant. Upper limits 2.8 miles downstream from Baton Rouge Railroad and Highway Bridge. Lower limits approximately 0.5 mile upstream from Baton Rouge Ferry Landing.

Anchorage (D). (Port Allen Anchorage.) An area 1.3 miles long near the

right descending bank, west side of the channel, not to exceed 1,000 feet from the bank. Upper limits approximately 1.5 miles downstream from Port Allen Ferry Landing, or 0.8 mile downstream from Limerick Light. Lower limits approximately 4 miles upstream from Red Eye Crossing front light.

Anchorage (E). (Manchac Anchorage.) An area 1.3 miles long near the right descending bank, south side of the channel, not to exceed 1,000 feet from the bank. Upper limits approximately 1.4 miles downstream from Sardine Point Light. Lower limits approximately 1.5 miles upstream from Manchac Point, and directly opposite Mulberry Grove Light.

Anchorage (F). (Plaquemine Anchorage.) An area 1 mile long near the left descending bank, northeast side of the channel, not to exceed 1,000 feet from the bank, vicinity Lucky Plantation. Upper limits approximately 0.7 mile downstream from Melodeon Point Light directly opposite Pecan Light. Lower limits approximately 3.4 miles upstream from Granada Front Range Light and directly opposite St. Louis Plantation Light.

Anchorage (G). (Carville Anchorage.) An area 1 mile long near the left descending bank, northwest side of the channel, not to exceed 600 feet from the bank, vicinity of U. S. Public Health Service Leper Colony. Upper limits approximately 1.6 miles downstream from White Castle Light opposite Alhambra Light. Lower limits approximately 1.5 miles upstream from Maryland Light and opposite Belle Grove Plantation.

Anchorage (H). (Philadelphia Point Anchorage.) An area 2.2 miles long near the right descending bank, southwest side of the channel, not to exceed 1,200 feet from the bank, vicinity Elsie Landing. Upper limits approximately 1.5 miles downstream from Chatham Landing and directly opposite New River Light. Lower limits approximately 0.9 mile upstream from Philadelphia Point Landing and directly opposite Belle Helene Light.

Anchorage (I). (Donaldsonville Anchorage.) An area 1 mile long near the right descending bank, south side of the channel, not to exceed 1,200 feet from the bank. Upper limits approximately 0.4 mile downstream from Donaldsonville Ferry Landing. Lower limits approximately 0.9 mile upstream from Rateau Light and directly opposite Brangier Point Light.

Anchorage (J). (Olga Landing Anchorage.) An area 1.5 miles long near the right descending bank, west side of the channel, not to exceed 700 feet from the bank, vicinity Olga Landing. Upper limits approximately 2.8 miles downstream from Brilliant Point Light and directly opposite Uncle Sam Light. Lower limits approximately 0.8 mile upstream from St. James Light and directly opposite Convent Landing.

Anchorage (K). (Lutcher Anchorage.) An area 1.7 miles long near the left de-

scending bank, northwest side of the channel, not to exceed 600 feet from the bank, vicinity Lutcher, La. Upper limits approximately 1 mile downstream from St. Elmo Light and opposite Magnolia Landing. Lower limits approximately 2.6 miles upstream from Mt. Airy Light or 0.2 mile upstream from Gramercy Ferry Landing.

Anchorage (L). (Edgard Anchorage.) An area 1.5 miles long near the right descending side of the channel, not to exceed 600 feet from the bank, vicinity Edgar Landing. Upper limits approximately 1.7 miles downstream from White Rose Light and opposite Reserve, La. Lower limits approximately 1 mile downstream from Edgar Landing or 0.7 mile upstream from California Light.

Anchorage (M). (Hahnville Anchorage.) An area 1 mile long near the right descending bank, west side of the channel, not to exceed 1,000 feet from the bank, vicinity Hahnville Landing. Upper limits approximately 1.4 miles downstream from Taft Light and directly opposite Prospect Light. Lower limits approximately 1 mile upstream from Fashion Light and directly opposite 26 mile Point Light.

Anchorage (N). (Destrehan Anchorage.) An area 1 mile long near the left descending bank, north side of the channel, not to exceed 600 feet from the bank, vicinity Pecan Grove Landing. Upper limits approximately 0.3 mile downstream from Destrehan Ferry Landing and opposite Luling, La. Lower limits approximately 1 mile upstream from St. Rose, La., and directly opposite Lone Star.

Anchorage (O). (St. Rose Anchorage.) An area 1 mile long near the left descending bank, northwest side of the channel, not to exceed 600 feet from the bank. Upper limits approximately 0.4 mile downstream from Oil Loading Wharf at St. Rose, La., and directly opposite Ama Light. Lower limits approximately 1.9 miles upstream from Fairview Light, and directly opposite Ama, La.

Anchorage (P). (Nine Mile Point Anchorage.) An area 0.7 mile long near the right descending bank, west side of the channel, not to exceed 500 feet from the bank. Upper limits approximately 0.3 mile downstream from Nine Mile Point Light and directly opposite Oak Street, New Orleans. Lower limits directly opposite upper end of U. S. Engineer Depot, 2nd New Orleans District.

Anchorage (Q). (Quarantine Anchorage.) An area 0.9 mile long near the right descending bank, southwest side of the channel, not to exceed 800 feet from the bank. Upper limits approximately 0.4 mile downstream from Todd-Johnson Dry Dock and directly opposite Jackson Barracks. Lower limits directly opposite Chalmette Slip.

Anchorage (R). (New Orleans General Anchorage.) An area 3.5 miles long near the right descending bank,

south side of the channel, not to exceed 800 feet from the bank. Upper limits approximately 0.7 mile downstream from U. S. Quarantine Station and directly opposite Chalmette Slip. Lower limits approximately 1.7 miles downstream from Cutoff Light and opposite Meraux, La.

Anchorage (S). (Twelve Mile Point Anchorage.) An area 1 mile long near the right descending bank, north side of the channel, not to exceed 800 feet from the bank. Upper limits approximately 0.5 mile downstream from Twelve Mile Point or opposite Caernarvon, La. Lower limits approximately 2 miles upstream from English Turn Navigation Light or opposite Braithwaite, La.

Anchorage No. 1 (Explosive). Located one-half mile up river from Oakville navigation light. The captain of the port shall designate anchorages up river or down river from the point named. The anchorage area is from the west bank of the river to a point 1,000 feet to the eastward, marked by a White Can Buoy.

This anchorage shall be reserved for vessels carrying explosives, without limit as to quantity.

Anchorage No. 2 (Explosive). Located 2,670 yards 156° from Saxonholm Light. The captain of the port will designate anchorages up river or down river from the point named. The anchorage area is from the west bank of the river to a point 800 feet to the eastward.

This anchorage shall be reserved for vessels carrying limited quantities of explosives. A permit to use the anchorage must be obtained from the captain of the port, who is authorized to limit the quantity of explosives on any vessel in the anchorage upon a finding by him that a greater amount would be unsafe.

Anchorage (T). (Home Place Anchorage.) An area 1.4 miles long near the right descending bank, southwest side of the channel, not to exceed 600 feet from the bank. Upper limits approximately 0.3 mile downstream from the Freeport Sulphur Company Wharf at Port Sulphur, La. Lower limits, Home Place Light.

Anchorage (U). (Buras Anchorage.) An area 2 miles long near the right descending bank, southwest side of the channel, not to exceed 800 feet from the bank. Upper limits approximately 2.8 miles downstream from Alberta Light or approximately 0.2 mile downstream from Gulf Refining Wharf at Buras, La., and directly opposite Ostrica Canal Lock. Lower limits approximately 0.9 mile upstream from Bayou Grand L'ard Light or approximately 0.2 mile upstream from Gulf Refining Company Wharf at Triumph, La.

Anchorage (V). (Boothville Anchorage.) An area 3.2 miles long near the right descending bank, southwest side of the channel, not to exceed 800 feet from the bank. Upper limits approximately 2.8 miles downstream from Fort Jackson Light and directly opposite New Canal Light. Lower limits approximately 2.8

miles upstream from The Jump Light and directly opposite Michella Light.

Anchorage (W). (Pilottown Anchorage.) An area approximately 5.8 miles long near the right descending bank, west side of the channel, not to exceed 1,000 feet from the west bank. Upper limits approximately 2.8 miles downstream from The Jump Light, and opposite Wilder Flat Light. Lower limits approximately 2.1 miles upstream from Head of Passes Light and opposite the Pilot's Station at Pilottown, La.

Anchorage (X). (Southwest Pass Anchorage.) Vessels anchoring in the pass shall take position near the eastern bank, above a point marked by a post, painted white, surmounted with round black target on channel end of spur dike No. 13.32 L, about one and one-half miles above Southwest Pass Lighthouse; and below a point also marked by a post, painted white, with round black target one and one-half miles below the Head of the Passes Light; and vessels so anchoring shall put out such extra moorings as may be necessary to prevent their being blown athwart the channel, and thus endangering the navigation of the pass.

Anchorage (Y). (South Pass Anchorage.) Vessels anchoring in the pass shall take position near the eastern bank, above a point marked by a post, painted white, surmounted with a round black target, which is about one-half mile above South Pass Lighthouse; and below a point also marked by a post, painted white, with round black target one and one-half miles below the Head of the Passes Light; and vessels so anchoring shall put out such extra moorings as may be necessary to prevent their being blown athwart the channel, and thus endangering the navigation of the pass.

Galveston, Texas

Anchorage No. 1 (explosive). A triangular area to the westward of Port Bolivar, bounded by a line starting from a point bearing 293° true and 200 yards off Bolivar Peninsula Light and ranging true west for a distance of 550 yards, thence true south a distance of 750 yards, thence back to the starting point bearing 37° true.

Anchorage No. 2 (explosive). A rectangular area in Bolivar Roads bounded by a line starting from a point 250 yards true south of No. 9 channel buoy and ranging true east a distance of 1300 yards, and between the lines ranging true south from each end of the northern boundary to the sand flats along the south jetty.

Anchorage No. 3 (general). A triangular area in Bolivar Roads to the southward of a line connecting No. 9 and No. 11 channel buoys; westward of a line having a bearing of 180° from No. 9 channel buoy, and eastward of No. 11 channel buoy.

This anchorage shall be for the general use of Naval and merchant vessels, and also for the use of vessels undergoing

examination by quarantine, customs, or immigration authorities.

NOTE: This anchorage is intended for periods of less than thirty days.

Anchorage No. 4 (general). An area in Bolivar Roads to the northward of the ship channel within the following lines:

- (A) Northwestward of a line having a bearing of 62° from No. 8 channel buoy;
- (B) North of a line having a bearing of 271° from No. 8 channel buoy;
- (C) East of a line having a bearing of 20° from the Quarantine Station cupola on Pelican Island.

This anchorage is to be used by merchant vessels remaining at anchor for a period of time greater than thirty days; it may also be used by merchant vessels when anchorage No. 3 is overcrowded.

Anchorage No. 5 (restricted). An area in Bolivar Roads to the northward of the ship channel within the following lines:

- (A) Southeastward of a line having a bearing of 223° from the old tower on Bolivar Point;
- (B) East of a line having a bearing of 359° from No. 4 channel buoy;
- (C) North of a line having a bearing of 115° from No. 4 channel buoy;
- (D) West of the westerly boundary of general anchorage No. 4.

This anchorage is to be used by vessels awaiting quarantine inspection, and by such other vessels as the captain of the port may permit.

San Juan, Puerto Rico

Anchorage Area

Anchorage grounds in San Juan Harbor are included within the following boundaries:

- (A) On the north by a line between Puntilla Point Light and Isla Grande Light;
- (B) On the south by a line between Buoy No. 14 and Buoy No. 16;
- (C) On the east by a line from Buoy No. 16 through positions of buoys marking the eastern edge of the harbor;
- (D) On the west by a line starting from a point 188 yards eastward from Buoy No. 14 (on the line between Buoy No. 14 and Buoy No. 16) and extending 25° true to the northern boundary line.

Anchorage (A). Anchorage (A) comprises that part of the anchorage area described above which lies north of a line bearing 112° from Puntilla Point Light and between the east and west boundary lines.

Anchorage (A) shall be a temporary anchorage for vessels awaiting customs or quarantine inspection. Vessels subject to inspection shall use this anchorage unless otherwise directed by the captain of the port.

Anchorage (B). Anchorage (B) comprises that part of the anchorage area

described above, bounded on the north by a line bearing 112° from Puntilla Point Light, on the south by a line between Buoy No. 12 and Buoy No. 18, and on the east and west by the lines defining the anchorage area.

Anchorage (B) shall be a general anchorage. No vessel shall remain in this anchorage more than 48 hours without a permit from the captain of the port.

Anchorage (C) (restricted). Anchorage (C) comprises that part of the anchorage area described above, bounded on the north by a line between Buoys No. 12 and No. 18, on the south by a line between Buoys No. 14 and No. 16, and on the east and west by the lines defining the anchorage area.

No vessel shall anchor in anchorage (C) without a permit from the captain of the port.

Anchorage (D). Anchorage (D) comprises that part of San Antonio Channel which lies to the eastward of longitude 66°05'45" W.

Anchorage (D) shall be a yacht and small craft anchorage.

St. Thomas Harbor, Charlotte Amalie, Virgin Islands

Anchorage (A). (Inner Harbor Anchorage.) The area inclosed by lines drawn as follows:

- (A) To the southward of a line bearing 85° from a point (A) located 450 yards bearing 85° from center of Ballast Island;
- (B) To the eastward of a line bearing 146° from point (A) to a point (B), 800 yards distant;
- (C) To the northward of a line bearing 70° from point (B) to a point (C), 860 yards distant.
- (D) To the westward of a line bearing 340° from point (C) to a point (D), 525 yards distant.

Anchorage (B). (Outer Harbor Anchorage.) The area inclosed by lines drawn as follows:

- (A) To the westward of a line bearing 180° from Scorpion Rock (Fl W) Gas Buoy No. 1 to a point (A), 860 yards distant;
- (B) To the northward of a line bearing 253° from point (A) to a point (B), 1,530 yards distant;
- (C) To the eastward of a line bearing 0° from point (B) to Sprat Point, Water Island;
- (D) To the southward of a line drawn from Sprat Point to Cowell Point, Hassel Island;
- Thence to the Gas Buoy on Scorpion Rock.

This area shall be used by vessels undergoing examination by quarantine, customs, immigration, and coast guard authorities. Upon completion of these examinations, vessels shall move promptly to a regular anchorage area. This anchorage shall also be used for vessels having drafts too great to permit them to use the Inner Harbor Anchorage. No

vessel shall remain more than 48 hours in this anchorage without a permit from the captain of the port.

Anchorage (C) (explosive). (Water Island Anchorage.) The area inclosed as follows:

(A) To the southward and eastward of Water Island in the Limestone Bay Area;

(B) To the northward of the extended line of the south boundary of anchorage (B) to Flamingo Point, Water Island;

(C) To the eastward of the line marking the westward boundary of anchorage (B).

Anchorage (D). (East Gregerie Channel Anchorage.) The area bounded as follows:

(A) On the northeast by Hassel Island;

(B) On the southeast by the northern boundary of anchorage (B);

(C) On the southwest by Water Island;

(D) On the northwest by a line running from Banana Point, Water Island, to Hassel Island, parallel to the south-east boundary.

This area shall be reserved for the use of naval vessels, but in their absence, the captain of the port may permit it to be used by merchant vessels.

Anchorage (E). (Small Craft Anchorage.) The area bounded as follows:

(A) The shoreline, and the

(B) Extended northern boundary line of anchorage (A).

This anchorage shall be used by small vessels undergoing examination and also by small vessels anchoring under permit from the captain of the port.

Astoria, Oregon

Anchorage (A). Located in the Columbia River northeastward of Astoria in the general vicinity of Tongue Point. It is a rectangular area bounded by the following points:

(A) 675 yards 253½° true from Tongue Point Light;

(B) 950 yards 284° true from Tongue Point Light;

(C) 2,125 yards 261° true from Tongue Point Light;

(D) 2,015 yards 247½° true from Tongue Point Light.

This anchorage is to be used by vessels awaiting quarantine inspection. No vessel may remain in this anchorage more than 12 hours without a permit from the captain of the port.

Anchorage (B) (restricted). Located in the Columbia River near Tongue Point. It is the area included within the following points:

(A) 675 yards 253½° true from Tongue Point Light;

(B) 950 yards 284° true from Tongue Point Light;

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(C) 1,425 yards 24° true from Tongue Point Light;

(D) 1,200 yards 42° true from Tongue Point Light.

This anchorage shall not be used without a permit from the captain of the port.

Anchorage (C) (explosive). Located in the Columbia River, comprising a circular area of 800 yards diameter, the center of the circle being 800 yards true north of Knappton Channel Light.

Puget Sound, Washington

Anchorage (A) (explosive). (Located at Kingston.) The anchorage area lies within the segment of a circle struck from a point 2,300 yards 144° from Apple Cove Point Light with a radius of 1,500 yards and extending from 216° true to 324° true. Explosives shall be handled under the supervision of the captain of the port of Seattle.

Anchorage (B) (explosive). (Located at Blake Island.) The anchorage area is bounded by the following lines:

A line bearing 90° from the south tangent of Blake Island for a distance of 2,000 yards; thence 360° for 1,400 yards; thence 270° for 1,300 yards to east point of Blake Island. Explosives shall be handled under the supervision of the captain of the port of Seattle.

NOTE: The outer limits of this anchorage are marked by two White Nun Buoys marked EX/N and EX/S—5,500 yards 220° true and 6,750 yards 212° true, respectively, from Alki Point Lighthouse.

In addition to the explosive anchorage defined above, the captain of the port of Seattle may issue special permits for vessels to anchor to load or discharge explosives in the area extending 1,000 yards to the northward of the northern shoreline of Blake Island.

Anchorage (C). (Elliott Bay Anchorages.) The anchorage is defined as follows:

(A) Beginning at the northeast corner of Harbor Island; thence northerly in a straight line to a point intersecting a line drawn along the south side of King Street; thence west on said line to a point intersecting the east line of the West Waterway; thence along said east line to the northwest corner of Harbor Island.

(B) Beginning at the point of intersection of the outer harbor line with a straight line drawn along the west line of the West Waterway; thence north to a point intersecting a straight line drawn along the south side of Dearborn Street; thence in a westerly direction to the southeast corner of the West Seattle Ferry Dock.

Anchorage (D). (Smith Cove Anchorage.) The anchorage is defined as follows:

(A) Beginning at a point at the junction of the outer harbor line and a line drawn along the north side of Danny

Way; thence westerly on said line for a distance of approximately 2,000 feet; thence in a northwesterly direction paralleling the outer harbor line to a point intersecting a straight line drawn along the east side of the Great Northern Dock.

Cleveland, Ohio

Anchorage (A). The northwesterly portion of the West Basin of Cleveland Harbor between the northwest limits of the West Basin and a line parallel to and 1,050 feet distant from the West Breakwater; and from the southwest limits of the West Basin to a line perpendicular to the West Breakwater, 2,050 feet southwesterly along the West Breakwater from Cleveland West Breakwater Light.

Anchorage (B). The southeasterly portion of the East Basin of Cleveland Harbor between the mainland and a line parallel to and 1,250 feet distant from the East Breakwater; from opposite Cleveland East Entrance Light to opposite Cleveland Harbor Channel Buoy No. 1.

Anchorage (E) (explosive). Located in Lake Erie, northwest of Cleveland Harbor East Breakwater, and including a rectangular area marked by four White Spar Buoys at the following distances and bearings from Cleveland East Pier-head Light:

(A) 2,050 feet 38½° true;

(B) 2,050 feet 68° true;

(C) 7,050 feet 57° true;

(D) 7,050 feet 49° true.

Detroit, Michigan

Anchorage (A) (Restricted). Located in the Detroit River, south of the Rouge River Short Cut Canal. The anchorage area is bounded on the west by the shore line, and on the east by a line joining the following two points referred by distance and bearings to the Rouge River Canal Inner Entrance Light:

(A) 950 feet 148° true;

(B) 4,025 feet 189° true.

From these two points lines drawn perpendicular to the shore line define the northern and southern boundaries of anchorage area.

This is a restricted anchorage, and shall not be used without a permit from the captain of the port, who is authorized to restrict the anchorage to vessels carrying dangerous or inflammable cargoes, and to limit the period for which any vessel may remain in the anchorage.

Anchorage (E) (Explosive): Located in Lake Erie, south of the Detroit River, and including a rectangular area marked by four White Buoys at the following distances and bearings from Detroit River Light:

(A) 32,800 feet 158½° true;

(B) 30,600 feet 178° true;

(C) 41,800 feet 178½° true;

(D) 43,500 feet 163¾° true.

Chicago, Illinois

Anchorage (F) (Explosive). Located in Lake Michigan between Hammond Intake Crib Light and Calumet Harbor Breakwater, and including the area located by four White Spar Buoys, at the following distances, and bearings from Calumet Harbor south end light:

- (A) 3,800 feet 252° true;
- (B) 4,400 feet 182° true;
- (C) 6,100 feet 178° true;
- (D) 6,500 feet 205° true.

Duluth, Minnesota—Superior, Wisconsin

Anchorage (A). Located in the northeasterly part of Duluth Harbor Basin within the following limits:

Beginning at Duluth Harbor Basin Lighted Buoy No. 3, thence 1,600 feet 241½°; thence 800 feet 188°; thence 4,950 feet 152°; thence 62° to Duluth Harbor Basin Lighted Buoy No. 11; thence northerly along the southeasterly limits of Duluth Harbor Basin to Duluth Harbor Basin Lighted Buoy No. 9; thence northwesterly along the northeasterly limits of Duluth Harbor Basin to Duluth Harbor Basin Lighted Buoy No. 3.

Anchorage (B). Located in the northeasterly part of Superior Harbor Basin within the following limits:

Beginning at Superior Front Channel Lighted Buoy No. 2, thence 2,250 feet 135½°; thence 4,150 feet 118°; thence 55° to the northeasterly limits of Superior Harbor Basin; thence northwesterly along the northeasterly limits of Superior Harbor Basin to Superior Harbor Basin Lighted Buoy No. 4; thence southwesterly along the northwesterly limits of Superior Harbor Basin to Superior Front Channel Lighted Buoy No. 2.

Anchorage (E) (Explosive). Located in Lake Superior, northeast of Minnesota Point and including a triangular area marked by three White Buoys at the following distances and bearings from Duluth South Breakwater Light:

- (A) 12,600 feet 124½° true;
- (B) 21,500 feet 117° true;
- (C) 23,875 feet 133° true.

III. GENERAL PROVISIONS

1. Wherever the term "captain of the port" is used in the foregoing Rules and Regulations, it shall be construed to include such enforcement officer, other than the captain of the port, as may be designated by the Secretary of the Treasury pursuant to section 2 of the Regulations issued by the Secretary of the Treasury and approved by the President on June 27, 1940.

2. The term "explosives" whenever used in these Regulations shall include, but shall not be limited to, those explosives defined and described in sections 52-134, inclusive, of the regulations of the Interstate Commerce Commission, promulgated pursuant to the Act of March 4,

1921, 41 Stat. 1444 (U.S.C. title 18, sec. 383), entitled "Regulations for Transportation by Rail of Explosives and Other Dangerous Articles", dated October 1, 1930, as amended.

3. Nothing contained in these Rules and Regulations shall be construed as relieving any vessel, common carrier, owner, shipper, master of a vessel, person in charge thereof, or other person from any liability or penalty incurred by reason of the violation or breach of any other regulation or of any law.

4. Nothing contained in these Rules and Regulations shall repeal any provisions of existing regulations except such provisions as are directly in conflict with these Rules and Regulations.

5. If any of the provisions of these Rules and Regulations is held invalid, the remainder shall not be affected thereby.

[SEAL]

H. MORGENTHAU, JR.,
Secretary of the Treasury.

Approved: October 29, 1940.

FRANKLIN D. ROOSEVELT
President.

[F. R. Doc. 40-4767; Filed, November 6, 1940;
11:18 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

CHAPTER II—AIRCRAFT

PART 23—ASSISTANCE TO AIRCRAFT OF FOREIGN REGISTRY

Correction

Subparagraph (a) of § 23.4 of F.R. Doc. 40-4709 (filed, November 1, 1940, at 2:04 p. m.), appearing on page 4365 of the issue for Tuesday, November 5, 1940, should be corrected by the deletion of the first comma in the third line so that "aircraft, fuel" will appear as "aircraft fuel".

TITLE 20—EMPLOYEES' BENEFITS
CHAPTER II—RAILROAD RETIREMENT BOARD

REGULATIONS UNDER THE JOINT RESOLUTION PROVIDING FOR THE ACQUISITION BY THE RAILROAD RETIREMENT BOARD OF DATA NEEDED IN CARRYING OUT THE PROVISIONS OF THE RAILROAD RETIREMENT ACTS

PART 299—ACQUISITION OF DATA

Correction

The first paragraph of § 299.08 of F.R. Doc. 40-4676 (filed, October 31, 1940, at 11:31 a. m.), appearing on page 4333 of the issue for Friday, November 1, 1940, should be corrected so that the date "August 29, 1931" reads "August 29, 1935".

149 CFR Parts 80, 81, 82.

Notices

WAR DEPARTMENT.

[Contract No. W-ORD-461]

FIXED PRICE (LUMP-SUM) SUPPLY CONTRACT, COST-PLUS-A-FIXED-FEE CONSTRUCTION CONTRACT, AND LEASE OF GOVERNMENT PLANT

CONTRACTOR: CHRYSLER CORPORATION

Fixed fee for construction project: \$2.00.

Contract for: Construction of tank plant including acquisition of site and installation of manufacturing equipment; lease of said Plant; and purchase of tanks.

Place: Warren Township, Macomb County, Michigan.

Estimated cost of construction project: \$20,000,000.00.

Total contract price of tanks: \$33,500,000.00.

Payments to be made by Finance Officer, U. S. Army, Chicago, Ill.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to the following Procurement Authorities, the available balances of which are sufficient to cover the cost of the same: ORD 6780-P2-99A-0141-01, ORD 6781-P11-3030-A-1005-1.

This contract, entered into this 15th day of August 1940,

ARTICLE I. *Acquisition of site.* The Contractor, within the shortest reasonable time, shall proceed to procure and exercise options for the acquisition of approximately one hundred thirteen (113) acres of land in Warren Township, Macomb County, Michigan.

ARTICLE II-A. *Statement of work.* 1. The Contractor shall, in the shortest reasonable time, furnish the labor, materials, tools, machinery, equipment, facilities, supplies not furnished by the Government, and services, and do all things necessary for the completion of the following work:

(a) To furnish, subject to the approval of the Contracting Officer, all architectural and engineering services covering the design, preparation of drawings, plans, specifications and field engineering and supervision necessary for the efficient execution and co-ordination of the construction work provided for under this title.

(b) To construct a plant primarily for the manufacture of tanks.

2. In consideration for his undertaking under Title I, Article I, and Title II, Article II-A of this contract, the Contractor shall receive the following:

(a) Reimbursement for expenditures as provided in Article II-B.

(b) A fixed fee in the amount of one dollar (\$1.00) which shall constitute

complete compensation for the Contractor's services.

ARTICLE III. Statement of work. The Contractor shall, in the shortest reasonable time, furnish and install (including labor, materials and services required for such work) all equipment, machinery, dies, jigs and tools (excepting small tools), and all other necessary items not specifically mentioned herein, in the buildings of the plant described in Title II hereof and required for the manufacturing and assembling of tanks.

In consideration for his undertaking under Title III of this contract, the Contractor shall receive the following:

(a) A fixed fee in the amount of one dollar (\$1.00)

(b) Reimbursement for all actual costs and expenses.

ARTICLE IV-A. It is estimated that the total cost of the work of construction, and of purchasing and installing plant equipment covered by this contract, including the cost of the site, as provided in Titles I, II, and III, will be approximately Twenty Million Dollars (\$20,000,000.00), exclusive of the Contractor's fee, and that the work herein contracted for will be ready for utilization for the manufacture or assembly of tanks within thirteen (13) months from the date of this contract.

The title to all work, completed or in the course of construction, shall be in the Government.

Reimbursement for cost. The Government will currently reimburse the Contractor for expenditures made in accordance with the terms of this contract upon certification to and verification by the Contracting Officer of the original payrolls for labor, the original paid invoices for materials and services or other original papers. Generally, reimbursement will be made weekly but may be made at more frequent intervals if the conditions so warrant.

The Contractor hereby agrees that he will: Procure and thereafter maintain such bonds and insurance in such forms and in such amounts and for such periods of time as the Contracting Officer may approve or require.

ARTICLE V. In further consideration of the undertaking by the Contractor of the work and services provided for herein, the Government hereby leases to the Contractor, subject to the following provisions and conditions, the land and the buildings, improvements, machinery and appurtenances thereunto belonging, when completed, on said lands referred to in Title I, herein referred to as the "Plant" for the duration of this contract.

ARTICLE VI. Upon the completion of the work and services under the provisions of Titles I, II and III hereof, and the acceptance thereof by the Government, and under the provisions of the lease of such Plant, to the Contractor provided for in

Title V hereof, the Contractor shall manufacture or assemble in such Plant and shall furnish and deliver to the Government * * * tanks.

In consideration of its undertaking under this Article VI Title VI of this contract, the Contractor shall receive the sum of thirty-three thousand five hundred dollars (\$33,500.00) for each tank delivered to the Government and accepted by it.

Payments. The Contractor shall be paid, upon the submission of properly certified invoices or vouchers, the prices stipulated herein for tanks delivered and accepted, less deductions as herein provided promptly upon the delivery and acceptance of each tank.

Advances. In view of the preparations necessary for manufacturing or assembling said tanks by quantity production methods, the Government shall advance to the Contractor without payment of interest thereon by the Contractor the sum of Five Million Dollars representing not exceeding thirty percent of the price of the tanks to be manufactured or assembled hereunder.

The Government may terminate this contract at any time by a notice in writing from the Secretary of War or his duly authorized representative, to the Contractor.

This contract is authorized by the following laws: Act of July 2, 1940 (Public No. 703—76th Congress).

NEAL H. MCKAY,
Major, Quartermaster Corps,
Assistant to the Director
of Purchases and Contracts.

[F. R. Doc. 40-4766; Filed, November 6, 1940;
9:35 a. m.]

[Contract No. W-ORD-465]

COST-PLUS-A-FIXED-FEE EQUIPPING CONTRACT

CONTRACTOR: COLT'S PATENT FIRE ARMS
MANUFACTURING COMPANY

Fixed-Fee: \$196,892.50.

Contract For: The purchase and installation of manufacturing facilities in the Contractor's Plant for the manufacture of machine guns.

Place: Hartford, Connecticut.

Estimated cost of project: \$3,937,850.00.

Payments to be made by Finance Officer at: Boston, Massachusetts.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to the following Procurement Authorities, the available balances of which are sufficient to cover the cost of the same: ORD. #6787-P2-3052-A1005-01.

This contract, entered into this 27th day of August 1940.

The Contractor shall as an independent contractor and not as an agent of the Government, in the shortest reasonable time:

To any necessary extent not fully set forth in items (a), (b), (c), (d), (e) and (f) of this section 1 of Article I, furnish the labor, materials, tools, machinery, equipment, facilities, supplies and services, and do all other things necessary to increase the production capacity of the Contractor's plant, from its present approximate production capacity of * * * caliber .50 machine guns per year, based upon the use of manufacturing facilities owned by the Contractor and based upon an average of 460 hours per month, to a production capacity of approximately * * * such machine guns per year, based upon the use of the aforesaid manufacturing facilities owned by the Contractor, and also the additional manufacturing facilities covered hereby and based upon an average of 460 hours per month.

It is estimated that the total cost of the work covered by this contract will be approximately Three Million Nine Hundred Thirty-seven Thousand Eight Hundred Fifty Dollars (\$3,937,850.00), exclusive of the Contractor's Fee, and that the work herein contracted for will be ready for utilization in the manufacture of machine guns within fifteen (15) months from the date of this contract.

In consideration for its undertaking under this contract the Contractor shall receive the following:

(a) Reimbursement for expenditures as provided in Article II.

(b) A fixed fee in the amount of One Hundred Ninety-six Thousand Eight Hundred Ninety-two Dollars and Fifty Cents (\$196,892.50), which shall constitute complete compensation for the Contractor's services, including profit.

The title to all manufacturing and electrical power facilities set forth in Schedules "A", "B", "C" and "D", which are purchased by or on behalf of the Contractor, shall be in the Government upon delivery at the Contractor's plant or at an approved storage site; and the title to all such facilities, which are produced or constructed by the Contractor, shall be in the Government when completed.

The Contractor shall be reimbursed in the manner hereinafter described for such of his actual expenditures in the performance of the work as may be approved or ratified by the Contracting Officer.

The Government will currently reimburse the Contractor for expenditures made in accordance with Article II upon certification to and verification by the Contracting Officer of the original certified payrolls for labor, the original paid invoices for materials or other original papers. Generally, reimbursement will be made weekly but may be made at more frequent intervals if the conditions so warrant.

The fixed fee prescribed in Article I shall be compensation in full for the services of the Contractor, including profit.

The Contractor hereby agrees that he will:

Procure and thereafter maintain such bonds and insurance in such forms and in such amounts and for such periods of time as the Contracting Officer may approve or require.

Should the Contractor at any time refuse, neglect, or fail to prosecute the work with promptness and diligence, or default in the performance of any of the agreements herein contained, or should conditions arise which made it advisable or necessary in the interest of the Government to cease work under this contract, the Government may terminate this contract by a notice in writing from the Contracting Officer to the Contractor.

After the execution of this contract, the Government, as requested by the Contractor, from time to time, and subject to the approval of the Contracting Officer, shall advance to the Contractor, without payment of interest thereon by the Contractor, various sums requested, the total of which shall not exceed One Million Dollars (\$1,000,000.00) which represents an amount not exceeding thirty percent (30%) of the estimated cost of the work under Article I.

This contract is authorized by the following laws: Act of July 2, 1940 (Public No. 703, 76th Cong.).

NEAL H. MCKAY,

Major, Quartermaster Corps,
Assistant to the Director
of Purchases and Contracts.

[F. R. Doc. 40-4765; Filed, November 6, 1940;
9:35 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Dockets No. A-111, A-134, A-159, A-224,
A-225, A-229, A-165, A-192]

IN THE MATTER OF THE PETITIONS OF DISTRICT BOARD 8 FOR RECLASSIFICATIONS OF THE AMERICAN ROLLING MILL COMPANY, AND OF PRUDEN COAL AND COKE COMPANY, FOR CHANGE IN CLASSIFICATIONS OF WEST VIRGINIA COAL AND COKE COMPANY, OF KENTUCKY CARDINAL COAL CORPORATION, OF WEBB COAL MINING COMPANY, OF NEW LONG RIDGE COAL COMPANY, INC., AND EXCELSIOR MINING COMPANY; PETITIONS OF COLCORD COAL COMPANY FOR CHANGE IN CLASSIFICATION FOR ITS HERNSHAW COALS, AND SPLASH DAM COAL CORPORATION FOR CHANGE IN CLASSIFICATION FOR SPLASHDAM MINE

ORDER OF CONSOLIDATION AND NOTICE OF AND ORDER FOR HEARING

Petitions pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above named parties, and the matters involved being subject to consolidation;

It is ordered, That a joint hearing in the above entitled matters under the ap-

plicable provisions of said Act and the rules of the Division be held on November 19, 1940, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held. Previous designations of other days for hearings on certain of these petitions are superseded.

It is further ordered, That Charles S. Mitchell or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, to determine the order of presentation of various petitions, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Any petitioner desiring a separate hearing may file a motion requesting a separate hearing, setting forth the reasons why petitioner is entitled to a separate hearing. Petitions of intervention, as well as motions for separate hearings on any of the petitions herein consolidated, shall be filed with the Bituminous Coal Division on or before November 14, 1940.

All persons are hereby notified that the hearing in the above entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervenors or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matters concerned herewith are in regard to

1. a petition of District Board 8 requesting that coal from the Nellis Mine

of the American Rolling Mill Company, a producer in District 8, be reduced in classification in Size Groups 11-14 from "B" to "F," in Size Groups 15-17 from "B" to "E," in Size Groups 18-21 from "F" to "J," in Size Groups 25 and 26 from "B" to "C," and in Size Group 27 from "B" to "D";

2. a petition of District Board 8 for an increase in classification of coals in Size Group 22 produced by Pruden Coal and Coke Company from its Back Creek No. 2 Mine from "F" to "N";

3. a petition of District Board 8 for an increase in classification for the Micco No. 3 Mine of West Virginia Coal and Coke Company in Size Groups 18-21 from "G" to "D";

4. a petition of District Board 8 for an increase in classification for coal from Cardinal No. 1 Mine of Kentucky Cardinal Coal Corporation in Size Groups 25 and 26 from "C" to "B";

5. a petition of District Board 8 for a reduction in classification for coal from the Webb Mine of Webb Coal Mining Company in Size Groups 18-21 from "E" to "F";

6. a petition of District Board 8 for a change in classification of the Long Ridge Mine of New Long Ridge Coal Company in Size Groups 1-4, inclusive, from "H" to "O"; 5 and 6 from "F" to "K"; 7 from "E" to "J"; 8 from "E" to "G"; 9 from "C" to "E"; 11-14, inclusive, from "B" to "D"; 15-17, inclusive, from "C" to "E"; 18-21, inclusive, from "J" to "E"; and for a change in classification of coal from the Excelsior Mine of Excelsior Mining Company in Size Groups 11-14 from "B" to "D" and in Size Groups 15-17 from "C" to "E";

7. a petition of Colcord Coal Company for reduction in classification of coal from its Montcoal No. 4 Mine in the Hernshaw seam in Size Groups 18-21 from "D" to "F" for shipment to all destinations and in Size Groups 16 and 17 from "K" to "M" for shipment to Great Lakes;

8. a petition of Splash Dam Coal Corporation for a change in classification of coal from its Splashdam Mine in Size Groups 18-21 from "D" to "F" and in Size Groups 1-4 from "K" to "M" or in the alternative that coals of H. E. Harman Coal Corporation in Size Groups 1-4 be increased in classification from "M" to "K."

It is further ordered, That the consolidated proceeding shall hereafter be entitled:

[Docket No. A-111, et al.]

IN THE MATTER OF CERTAIN PETITIONS FOR RECLASSIFICATION OF VARIOUS COALS IN DISTRICT 8, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

Dated: November 5, 1940.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 40-4768; Filed, November 6, 1940;
11:19 a. m.]

[Dockets Nos. A-100, A-193]

**IN THE MATTER OF THE PETITIONS OF THE
HATFIELD-CAMPBELL CREEK COAL COM-
PANY AND DIXPORT COAL COMPANY FOR
MODIFICATION OF EFFECTIVE MINIMUM
PRICES**

**ORDER GRANTING TEMPORARY RELIEF AND
ORDER OF CONSOLIDATION**

A petition in Docket No. A-193 having been filed by Dixport Coal Company, a Code member in District 8, with the Bituminous Coal Division, requesting that petitioner be afforded equal opportunity to compete with Carbon Fuel Company (which has an application pending under Section 4-A of the Bituminous Coal Act for exemption in respect to sales to certain consumers) on sales to Carbide and Carbon Chemicals Corporation, South Charleston, Kanawha County, West Virginia, and other consumers located in Kanawha County, and petitioner having requested the granting of temporary relief pending the disposition of its petition; and

The Director having considered this petition and the views expressed in support thereof by petitioner at an informal conference held on November 1, 1940, on notice to interested persons, and there having been no opposition to the request for temporary relief;

Now, therefore, it is ordered, That the petition for temporary relief is granted, and that pending the final disposition of the original petition herein effective minimum prices applicable to petitioner's coals are reduced by an amount sufficient to enable petitioner to compete as follows:

With Carbon Fuel Company for sales of coal to Carbide and Carbon Chemicals Corporation, South Charleston; E. I. duPont de Nemours & Company, Belle; American Fork & Hoe Company, Kelly Axe and Tool Works, West Charleston; Barium Reduction Corporation, South Charleston; Belle Alkali Company, Belle; Fuel Process Company, South Charleston; all located in Kanawha County, West Virginia.

It is further ordered, That petitioner shall file with the Division, on the first of each month, a report showing the size, quality and price of each ton of coal sold during the preceding month to any of the above-mentioned purchasers.

Notice is hereby given that applications to stay, terminate or modify the temporary relief herein granted may be filed pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in proceedings instituted pursuant to Section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That this petition is consolidated with a similar petition of the Hatfield-Campbell Creek Coal Company in Docket No. A-100, and that the notice of and order for hearing of October 17, 1940, in Docket No. A-100, ordering a hearing to be held on Novem-

ber 26, 1940, is made applicable to the consolidated proceeding.

Dated, November 5, 1940.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 40-4769; Filed, November 6, 1940;
11:19 a. m.]

Bureau of Reclamation.

WASHOE LAKE RESERVOIR SITE, NEVADA

**CHANGE OF WITHDRAWAL FORM OF RECLA-
MATION WITHDRAWAL FROM SECOND TO
FIRST FORM**

SEPTEMBER 30, 1940.

The SECRETARY OF THE INTERIOR.

Sir: It is recommended that the form of withdrawal of the following described lands, which were withdrawn under the second form of withdrawal by Departmental Order of February 20, 1913, in connection with the Newlands Project, Nevada, be changed from second form to first form, in accordance with the provisions of Section 3 of the Reclamation Act of June 17, 1902 (32 Stat. 388).

MOUNT DIABLO MERIDIAN, NEVADA

Washoe Lake Reservoir Site

T. 15 N., R. 19 E.,
Sec. 1, S $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 2, N $\frac{1}{2}$ SE $\frac{1}{4}$;

Respectfully,

H. W. BASHORE,
Acting Commissioner.

I concur: October 8, 1940.

FRED W. JOHNSON,
Commissioner, General
Land Office.

Approved and the change as recommended is hereby ordered and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

E. K. BURLEW,
First Assistant Secretary.

OCTOBER 25, 1940.

[F. R. Doc. 40-4764; Filed, November 6, 1940;
9:35 a. m.]

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

**AUTHORITY TO EXECUTE AGREEMENTS SUB-
SEQUENT TO ORIGINAL CONTRACTS FOR
THE SALE OF RESETTLEMENT REAL PROP-
ERTY**

Regional directors are authorized to execute supplemental agreements subsequent to Lease and Purchase Contracts (Form FSA-LE 171). This authority may be delegated to assistant regional directors in charge of rural resettlement. [Paragraph II B of Farm Security Administration Instruction 555.15]

Approved October 30, 1940.

[SEAL]

C. B. BALDWIN,
Administrator.

[F. R. Doc. 40-4763; Filed, November 5, 1940;
3:01 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order No. 63]

**DESIGNATING THE REGIONAL DIRECTORS AND
THE ACTING REGIONAL DIRECTORS OF RE-
GIONS 11 AND 12 AS AUTHORIZED REPRESENTATIVES TO GRANT OR DENY APPLICATIONS FOR SPECIAL CERTIFICATES FOR THE
EMPLOYMENT OF HANDICAPPED WORKERS,
AND TO CANCEL SUCH SPECIAL CERTIFICATE**

By virtue of, and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, Philip B. Fleming, Administrator of the Wage and Hour Division, Department of Labor, hereby designate and appoint the regional directors or the acting regional directors of regions 11 and 12 as my authorized representatives, with full power and authority to grant or deny applications for special certificates for the employment of handicapped workers, and to sign, issue and cancel special certificates authorizing the employment of handicapped workers pursuant to the provisions of section 14 of the Fair Labor Standards Act of 1938 and Regulations, Title 29—Labor, Chapter V—Wage and Hour Division, Part 524.

Signed at Washington, D. C., this 28th day of October 1940.

PHILIP B. FLEMING,
Administrator.

[F. R. Doc. 40-4774; Filed, November 6, 1940;
11:44 a. m.]

**SECURITIES AND EXCHANGE COM-
MISSION.**

[File No. 802-1]

**IN THE MATTER OF MARINE MIDLAND
GROUP, INC.**

**ORDER RELATIVE TO STATUS AS INVESTMENT
ADVISER**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 1st day of November, A. D. 1940.

Marine Midland Group, Inc., having filed an application, pursuant to Section 202 (a) (11) (F) of the Investment Advisers Act of 1940, for an order declaring it not to be an investment adviser within the intent of Section 202 (a) (11) of the Act;

A public hearing having been held after appropriate notice; the Commission having examined the record; and having this day made its findings in the matter;

It is hereby ordered, on the basis of said findings that said applicant is not an investment adviser within the intent of paragraph (11) of Section 202 (a) of the Investment Advisers Act of 1940: Provided, That this order will not relieve the applicant from the operation of the Act, if at any time, the facts disclosed in said

findings should become materially changed.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-4771; Filed, November 6, 1940;
11:28 a. m.]

[File No. 802-2]

IN THE MATTER OF FIRST SERVICE CORPORATION

ORDER RELATIVE TO STATUS AS INVESTMENT ADVISER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 1st day of November, A. D. 1940.

First Service Corporation, having filed an original and supplemental application, pursuant to section 202 (a) (11) (F) of the Investment Advisers Act of 1940, for an order declaring it not to be an investment adviser within the intent of section 202 (a) (11) of the Act;

A public hearing having been held after appropriate notice; the Commission having examined the record; and having this day made its findings in the matter;

It is hereby ordered, On the basis of said findings that said applicant is not an investment adviser within the intent of paragraph (11) of section 202 (a) of the Investment Advisers Act of 1940, provided that this order will not relieve the applicant from the operation of the Act if, at any time, the facts disclosed in said findings should become materially changed.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-4772; Filed, November 6, 1940;
11:28 a. m.]

[File No. 70-184]

IN THE MATTER OF GENERAL UTILITY INVESTORS CORPORATION AND NY PA NJ UTILITIES COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 5th day of November, A. D. 1940.

The above-named parties having filed a declaration and application pursuant to the Public Utility Holding Company Act of 1935, particularly sections 7, 9, 10 and 11 (e) thereof and Rules U-12C-1 and U-12F-1 thereunder, regarding a proposed merger of General Utility Investors Corporation into NY PA NJ Utilities Company; and

Said declaration and applications having been filed on October 19, 1940, and notice of said filing having been duly given in the form and manner prescribed by Rule U-8 promulgated pursuant to said Act; and

It appearing to the Commission that it is appropriate and in the public inter-

est and in the interest of investors and consumers that a hearing be held with respect to said declaration and applications, and that said declaration shall not become effective or said applications be granted except pursuant to further order of the Commission;

It is ordered, That a hearing on such matter under the applicable provisions of the Act and the Rules of the Commission thereunder be held on November 25, 1940 at 10:00 A. M. at the offices of the Securities and Exchange Commission, 1778 Pennsylvania Avenue, NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearings is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of issues presented by said declaration and applications, particular attention will be directed at said hearing to the following matters and questions:

1. The accounting treatment to be given on the books and records of NY PA NJ Utilities Company reflecting the effect of the proposed merger.

2. The satisfaction of the requirements of sections 9 and 10 of the Act regarding the proposed acquisition by NY PA NJ Utilities Company of the assets of General Utility Investors Corporation; the applicability of the provisions of section 7 of the Act to the assumption by NY PA NJ Utilities Company of the present public liability of General Utility Investors Corporation; the satisfaction of the requirements of the provisions of Rules U-12F-1 and U-12C-1 regarding the General Utility Investors Corporation's proposed sale of securities to NY PA NJ Utilities Company and the subsequent acquisition by General Utility Investors Corporation of its own stock; and the desirability in the alternative of considering the proposed merger as a plan pursuant to section 11 (e) of the Act.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-4770; Filed, November 6, 1940;
11:28 a. m.]

IN THE MATTER OF THE CONSERVATIVE SECURITIES COMPANY, FIRST NATIONAL BANK BUILDING, OMAHA, NEBRASKA

FINDINGS AND ORDER

-At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 5th day of November, A. D. 1940.

Appearances: Gilbert C. Maxwell, Esq., of the Denver Regional Office, for the Trading and Exchange Division of the Commission.

This proceeding was commenced under Section 15 (b) of the Securities Exchange Act of 1934 to determine whether the registration of The Conservative Securities Company as a broker-dealer should be revoked or suspended.

Pursuant to an order of the Commission dated August 15, 1940, and notice served upon the registrant, the hearing in this matter was held before a trial examiner in Denver, Colorado, on August 28, 1940.

The order for hearing alleged that the registrant and Hermann E. Gebers, its president, are permanently enjoined by judgment of the United States District Court for the District of Nebraska, Omaha Division, entered on July 25, 1940, from engaging in or continuing certain conduct and practices in connection with the purchase and sale of securities; that since about July 1937, the registrant and Gebers have been engaged in the business of purchasing securities for the accounts of customers and in making such purchases have made use of the mails and the facilities of interstate commerce, and that the registrant and Gebers, in the sale of these securities to customers in interstate commerce and by the use of the mails, have employed devices, schemes and artifices to defraud the purchasers of such securities and have engaged in transactions, practices and courses of business which operated as a fraud and deceit upon such purchasers in that the registrant and Gebers:

(a) Accepted customers' orders for the purchase of securities, accepted payment for such securities and confirmed the purchase of such securities to said customers when in fact the registrant and Gebers intended not to, and did not, execute such orders;

(b) Accepted customers' orders for the purchase of securities and accepted payment therefor when in fact the registrant and Gebers intended not to use said money to purchase securities for the accounts of said customers and to hold such securities for the accounts of said customers, but rather intended to and did divert the money to the use and benefit of registrant and Gebers; and

(c) Accepted customers' orders for the purchase of securities and accepted the deposit of money and property in connection therewith, at a time when the registrant was insolvent.

The registrant by Hermann E. Gebers acknowledged notice of the hearing, admitted the existence of the facts alleged in the Commission's order for hearing, and consented to the entry of an order by the Commission revoking its registration as an over-the-counter broker or dealer. In addition, Hermann E. Gebers voluntarily executed a statement setting forth various transactions with cus-

holders of The Conservative Securities Company which substantiate the facts alleged in the Commission's order.

We find, therefore, that the facts alleged in the order instituting this proceeding are true; that the registrant has willfully violated Section 17 (a) of the

Securities Act of 1933 and Section 15 (c) of the Securities Exchange Act of 1934, and that it is in the public interest that its registration be revoked.

It is ordered, Pursuant to Section 15 (b) of the Securities Exchange Act of 1934, that the registration of The Con-

servative Securities Company be and it hereby is revoked.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

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